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the defendant and are to be surrendered to whichever party wins the decision of the arbitrator. The reader is left in some doubt as to the author's opinion regarding the identity of the arbitrator, but surely Gilbert is right in identifying him with the king, who in this as in other situations is aided by his council. If this explanation, which is the only one that accords fully with Greek legal procedure as we know it, is not right, it is idle to attempt to solve the puzzle.

Since the publication of this book, Thalheim (*Hermes* CXL, pp. 152 ff.) has shown quite convincingly that the contention (p. 222) that the decision of a private arbitrator was not legally binding, unless given under oath, is not sustained by the proofs offered. Lipsius reiterates (p. 228) his previously expressed view (*Ber. d. Säch. Ges. d. Wiss.* 1891, p. 58) that practically all private suits had to come before a public arbitrator. If this is so it is difficult to understand how in some private suits new evidence could be adduced on the day of trial (cf. Isaeus viii. 42; ix. 18). Aristotle's statements on this point need to be more thoroughly tested by an examination of the extant speeches. The chapter on the method of selecting and assigning the jurymen is particularly successful. Not only has the author made full use of Aristotle's somewhat obscure account of the procedure of his own day, but he has skilfully pieced together the meager evidence that bears upon the practice of the time of Aristophanes.

In conclusion I should like to express the hope that an index of passages cited from the *Orators* will be added to the completed work.

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Der Blitz in der orientalischen und griechischen Kunst. Von PAUL JACOBSTHAL. Berlin: Weidmann, 1906. Pp. 60 and four plates. M. 3.60.

The main conclusions of this extremely careful essay are as follows: Babylonian and Assyrian art invented certain closely related symbols for the thunderbolt, adapting for the purpose the conventional means of expressing fire. One of these symbols was taken over by Greek art about the seventh century B. C., and was at once variously modified under the influence of the conception of the lightning as a flower. Of the new forms thus created three belong to Ionia and the adjacent regions of Hellas, two to Greece proper. With the fading-out of the flower-notion further modifications set in. Wings were sometimes added, flames were naturalistically represented, and, above all, the notion of the thunderbolt as a weapon became dominant. The multifarious forms which thus arose are well represented in the four plates accompanying the essay.

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